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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,447	02/19/2004	William J. Jones	47171-00406USPT	5157
41230 7590 05/14/2007 CUMMINS-ALLISON CORP. C/O JENKENS & GILCHRIST 225 WEST WASHINGTON STREET, SUITE 2600 CHICAGO, IL 60606			EXAMINER SHAPIRO, JEFFERY A	
			ART UNIT 3653	PAPER NUMBER
			MAIL DATE 05/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/782,447

Applicant(s)

JONES, WILLIAM J.

Examiner

Jeffrey A. Shapiro

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/19/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. In Applicant's claims 1-58, as exemplified by Claim 1, the term "compact housing" is objected to as being a relative term, i.e., compact relative to what.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Casanova et al (US 6,021,883).

As described in Claims 1, 17 and 24, Casanova discloses a cash processing system having a compact housing, as shown in figures 7a-c, a currency bill processing device (128), a coin processing device (131) and a central processing unit (CPU) (110) that controls the operation of the apparatus to determine the total value of bills and coins processed. See figures 6a-6f, for example.

Regarding Claims 8, 17 and 18, 26 Casanova discloses the details of sorting and discriminating bills, as is well-known and inherent, referring to (US 5,295,196), incorporated by reference at col. 10, lines 14-17. See also col. 10, lines 18-65 and figures 7a-7c.

Regarding Claims 9 and 25, see Cassanova at col. 10, lines 29-32, which mentions processing bills at high speeds of at least 350 bills per minute.

Regarding Claims 10 and 11, Casanova discloses a touch screen interface (52).

Regarding Claims 12-15, Casanova discloses the details of sorting and discriminating coins, as is well-known and inherent, referring to (US 5,542,880) which has been incorporated by reference, at col. 12, lines 12-24. See also col. 4, lines 28-37 and figure 9, which illustrates a sorting head with sorting channels and a rotatable disk.

Regarding Claims 16 and 27, Casanova discloses details of a printer at col. 5, lines 8-15.

Regarding Claims 2-7 and 19-23 note that Casanova's apparatus will still work the same as Applicants' apparatus regardless of its size and dimensions. Note also that any table top of sufficient size would be able accommodate Casanova's apparatus on its top surface.

4. Claims 28-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Geib et al (US 5,997,395). Applicants' disclosure describes figure 6 as being "a perspective view of the compact cash processing system of figure 2...Applicants' disclosure describes figure 2 as "a perspective view of a compact cash processing system according to another embodiment of the present invention." See paragraphs 7 and 11 of Applicants' disclosure. Figure 2 is described in Applicants' paragraph 21-28 as including both currency bill and coin processing devices as mechanically distinct machines that are contained within the same compact housing. This includes the limitations of Claims 28, 29, 34, 35 and 38. Figures 5 and 6 are described at paragraphs 45-48.

Geib '395 discloses Applicants' compact cash processing system including bill and coin processing devices at Geib figure 11, which includes the same elements except for coin tray (451) found in Applicants' figure 6. Since the same currency processing device is illustrated in Geib figure 11 as is illustrated in Applicants' figure 6, and Applicants' figure 6 is admitted to be an illustration of a compact bill and coin processing device, Applicants' device as claimed in Claims 28-58 are considered anticipated by Geib '395.

Applicants' disclosure at paragraphs 25-27, with regards to Applicants' figure 2 and thus Applicants' figure 6, discloses the dimensions of the device in Applicants' figures 2 and 6, as described in Claims 30-33, 36, 37 and 39-43.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 45-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geib et al (US 5,997,395) in view of Stromme et al (US 6,311,819 B1). Geib discloses the compact currency processing device as described above. Geib does not expressly disclose, but Stromme discloses processing bills at a rate of speed of greater than 800 bills per minute. See Stromme, col. 4, lines 58-65.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have operated Geib's compact currency processing device to process bills at

a rate of 800 or more bills per minute, for the purpose of increasing bill throughput. It is also noted that Applicants incorporate Stromme by reference at paragraph 37.

Response to Arguments

7. Applicant's arguments filed 4/9/07 have been fully considered but they are not persuasive.

Applicants assert that Cassanova does not disclose a "compact housing" because Cassanova discloses a floor standing ATM machine that handles both coins and bills. However, the term "compact housing" is a relative term. As such, Cassanova can be construed to incorporate a "compact housing" relative to a building, other ATM's or to a myriad of other items of comparison. As for the requirement that it sit on a tabletop, note again, that a tabletop is a relative term. For example, Anacostia, a neighborhood of Washington, DC, is the location of a chair that is 19.5' high, with a seat as large as two double-sided beds. Such a chair can be construed to perform the same function as a table. http://anacostia.si.edu/anacostia_history/community_landmarks.htm Cassanova's ATM with "compact housing" can easily fit on this chair's seat, which has the structure and function of a table. The point again is that such a term as a "compact housing" is a relative term. It is also within the skill of one of ordinary skill in the art to make an item of any size dimensions, including those claimed by Applicants. A change in size is generally recognized as being within the level of one ordinarily skilled in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that

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any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Rather than being based on hindsight, it is considered to be well within the skill and creativity of one ordinarily skilled in the art to have arrived at Applicants' dimensions based upon market or other requirements.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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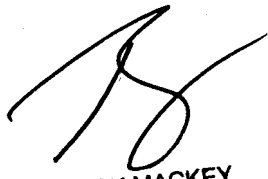
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (571)272-6943. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JAS

May 7, 2007


PATRICK MACKEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600